



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 99,089)

PATENT

In re Application of:

Mark O. Vogel

Serial No. 09/318,460

Filed: May 25, 1999

For: Method for Dynamic Performance Optimizing  
In a Data-Over-Cable System

Examiner: To Be Assigned

Art Unit: 2731

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**TENTH SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT LETTER**

Commissioner for Patents  
Washington, DC 20231

Dear Sir:

Pursuant to the duty of disclosure provided by 35 C.F.R. § 1.56 and §§ 1.97-98, the applicants wish to make the following references of record in the above-identified application. Copies of the references are enclosed. Copies are also listed in the PTO-1449 form enclosed herewith. It is requested that the documents be given careful consideration and that they be cited of record in the prosecution history of the present application so that they will appear on the face of the patent issuing from the present application.

Portions of the references may be material to the examination of the pending claims, however no such admission is intended. 37 C.F.R. 1.97 (h). The references have not been reviewed in sufficient detail to make any other representation and, in particular, no representation is intended as to the relative importance of any portion of the references. This Statement is not a representation that the cited references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. sections 102 or 103.

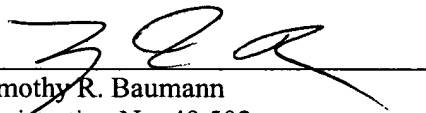
## CITED REFERENCES

### U.S. Patent Documents

Document Number	Date	Name
6,046,979	04-04-00	Bauman
5,926,458	07-20-99	Yin
6,332,163	12-18-01	Bowman-Amuah

Respectfully submitted,

Date: 4/2/02

By:   
Timothy R. Baumann  
Registration No. 40,502



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(Case No. 99,089)

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TRANSMITTAL LETTER

Commissioner for Patents  
Washington, DC 20231

1. We are transmitting herewith the attached papers for the above-identified patent application:


- 1) Tenth Supplemental Information Disclosure Statement (IDS) Letter
- 2) Tenth Supplemental Information Disclosure Statement (IDS) PTO-Form 1449
- 3) Copies of IDS Citations for 09/318,460 (3 Documents)
- 4) Return Postcard

2. A check in the amount of \$0.00 is enclosed for the Filing Fee.

3. **GENERAL AUTHORIZATION TO CHARGE OR CREDIT FEES:** Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.

4. **CERTIFICATE OF MAILING UNDER 37 CFR § 1.8:** The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this 2<sup>nd</sup> day of April, 2002.

By:

  
Timothy R. Baumann  
Reg. No. 40,502